

FEB 01 2000

MR. ALAN KAWATERS: Thank you. My name is Alan Kawaters and I haven't a written proposal because, frankly, I was thrown off a little balance when I asked an earlier question, during the question period.

1 [To give a little background, or to get the arms around the question of what I was about to address, I bothered to state a dilemma in the past in the industry. That was when we were ocean bearing nuclear waste. Brookhaven National Laboratory loaded a barge to be unloaded outside the appropriate boundaries of the United States in water. After it was launched, the law was changed.

Considerations became political, emotional and certainly financial. The barge could not land on the coast of the United States. As a result we had nuclear waste wandering up and down the shoreline of the United States for some period of time. I forget. I knew what the specific period of time was, but it was lengthy, at least a year.

This is the kind of thing when I hear a presentation that talks about transportation and reviewing since 1943 all of the shipments that occurred, it becomes very hard to focus on point. It is one instance as opposed to a statistical accumulation of data or miles, et cetera, versus risk, but it seems to me to be the keynote of the issue. The issue was what happens when things don't work correctly.

Not that they blow up, not that some more emotional issue becomes involved, but the issue becomes what happens if there is change in the political climate, the law, and an accident causes some change to occur in the protocol, and we have shipments coming in to Yucca for a period of time when Yucca cannot accept it.

And then during the discourse I heard that the NRC set up this protocol to recall waste from the facility, assuming it got incorrectly -- something happened at the Yucca Valley site, to make it less tentative to remain there, they could recall it, but I haven't heard anything that addressed the question of what happens if something goes wrong at Yucca while shipments are being shipped and commitments of shipments to be made, have to be made. Once again, a fait accompli is involved.

I ask, was that evaluated? Since I had asked the question once before, I had made it very specific and I was told no, that the DOE has not evaluated that. I consider it a very important administrative overview, a decision at a very high level to look at outliers and statistics, not to accumulate data and talk about 1943, look for the embarrassment that was a minor embarrassment and not a focus of the nation at the time of the Brookhaven situation, but when it translates into much further exponential amplification of shipments and the risks, that it be raised in the priorities of balance.

Meaning that we don't -- we don't -- we change the statistic and pull an outlier in to evaluate. I would urge the DOE to make such an evaluation. The response to the question was, no, we didn't. Thank you very much.